

Appl. Serial No.: 10/693,782
Amendment dated November 29, 2004
Reply to Office action of July 28, 2004

REMARKS

Claims 1-20 remain in the application. By this amendment, claim 1 has been amended. The present application as originally filed supports these amendments. No new matter has been added.

Claim Rejection under 35 U.S.C. § 102(e)

Claims 1-9 and 12-20 have been rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,401,487 to Kotliar. Applicant respectfully traverses this rejection and submits that Kotliar does not disclose or suggest an enclosed cabinet, as recited in independent claim 1, from which claims 2-9 and 12-20 depend.

Independent claim 1 has been amended simply to highlight that the claim is directed to an enclosed cabinet for receiving electronic assemblies, such as computer servers, and does not read on human-occupied objects and facilities, such as rooms, houses and buildings, transportation tunnels and vehicles, underground and underwater facilities, marine vessels, submarines, passenger and military aircraft, space stations and vehicles, military installations and vehicles. In addition, the enclosed cabinet of independent claim 1 also requires a cooling system, a fire detecting system, a fire suppression system, an uninterruptible power supply system, and a remote monitoring system.

Kotliar, in contrast, discloses fire prevention and suppression systems and breathable fire-extinguishing compositions for human-occupied objects and facilities, such as houses and buildings. The fire prevention and suppression system provides a *breathable* hypoxic fire-preventative atmosphere, and employs an oxygen-extraction apparatus supplying oxygen-depleted air inside a human-occupied area or storing it in a high-pressure container for use in case of fire. The system taught by Kotliar, therefore, simply provides an atmosphere that has

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enough oxygen to allow human occupation but not enough oxygen to allow a fire. Kotliar, accordingly, does not disclose or suggest an enclosed cabinet for receiving electronic assemblies and including a cooling system, a fire detecting system, a fire suppression system, an uninterruptible power supply system, and a remote monitoring system.

Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 1-9 and 12-20 as being anticipated by Kotliar.

Claim Rejections under 35 U.S.C. § 103(a)

Claim 10 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Kotliar in view of U.S. Patent No. 6,634,615 to Blick et al. The patent office submits that Kotliar discloses the invention recited in claim 10 except for a seismic resistance structure, but that Blick et al. discloses seismic resistance structure. Applicant respectfully traverses this rejection.

As discussed above, Kotliar does not disclose or suggest an enclosed cabinet for receiving electronic assemblies and including a cooling system, a fire detecting system, a fire suppression system, an uninterruptible power supply system, and a remote monitoring system. Even assuming that Blick et al. discloses seismic resistance structure, Blick et al. also does not disclose or suggest an enclosed cabinet for receiving electronic assemblies and including a cooling system, a fire detecting system, a fire suppression system, an uninterruptible power supply system, and a remote monitoring system. The combination of Kotliar and Blick et al., therefore, does not disclose an enclosed cabinet as recited in independent claim 1, or as recited in claim 10, which depends from independent claim 1.

Applicant respectfully requests reconsideration and withdrawal of the rejection of claim 10 as being unpatentable over Kotliar in view of Blick et al.

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Claim 11 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Kotliar in view of U.S. Patent No. 6,256,196 to Lima. The patent office submits that Kotliar discloses the invention recited in claim 11 except for an EMI containment and filter system, but that Lima discloses an EMI containment and filter system. Applicant respectfully traverses this rejection.

Even assuming that Lima discloses an EMI containment and filter system, like Kotliar, Lima also does not disclose or suggest an enclosed cabinet for receiving electronic assemblies and including a cooling system, a fire detecting system, a fire suppression system, an uninterruptible power supply system, and a remote monitoring system. The combination of Kotliar and Lima, therefore, does not disclose an enclosed cabinet as recited in independent claim 1, or as recited in claim 11, which depends from independent claim 1.

Applicant respectfully requests reconsideration and withdrawal of the rejection of claim 11 as being unpatentable over Kotliar in view of Lima.

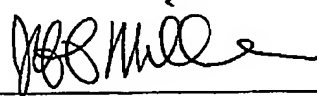
Conclusion

In view of the amendments and remarks submitted herein, applicant believes that all claims pending in the application are in condition for allowance and respectfully requests an indication of allowance.

If a telephone conference will expedite prosecution of the application the Examiner is invited to telephone the undersigned. If additional fees are required, or otherwise necessary to cover any deficiency in fees already paid, authorization is hereby given to charge our deposit account no. 50-1133.

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Respectfully submitted,
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